

§ 9-401.

(a) The existence of growth of certain species of plants is declared to be noxious.

(b) The following plants are considered to be noxious weeds in the State:

- (1) Thistles belonging to the asteraceae or compositae family, including Canada, musk, nodding, plumeless, and bull thistle;
- (2) Johnsongrass (*sorghum halepense*) or hybrids that contain Johnsongrass as a parent; and
- (3) Shatter cane and wild cane (*sorghum bicolor*).

§ 9-402.

The Secretary may:

- (1) Make investigations, studies, and determinations he deems advisable in order to ascertain the extent of growth and infestation of a noxious weed, other weed species in the State, and the effect of the species on agricultural production;
- (2) Following public hearing, designate as noxious weeds other species of plants which adversely affect or threaten agricultural production, and carry out practices necessary to bring about control or abatement of the species, or both;
- (3) Institute programs of control and eradication;
- (4) Enter into agreements with any county and subdivision of the State, with any adjoining state, and with agencies of the federal government to effect a program of control and eradication;
- (5) Accept, use, or expend any aid, gift, grant, or loan made available from any private or public source to carry out the provisions of this subtitle; and
- (6) Following a public hearing declare a quarantine to control or eradicate any exotic plant, which means a plant species not previously known to occur in the State or known to be of only limited distribution in the State, as determined by the Secretary.

§ 9-403.

After an agreement between the Secretary and the county is executed, the Secretary and the county may conduct surveys to determine the location and amount of infestation of a noxious weed or other plant species within the county. Both parties may provide technical assistance to landowners in a cooperative control or eradication program, and may effect a program of mowing, spraying, or other control or eradication practices on any road right-of-way, drainage ditch bank, park, playground, and any other public or private land. The agreement between the Secretary and county may be terminated by either party on 30 days written notice.

§ 9-404.

(a) No person may:

- (1) Import or transport a noxious weed in the State in any form capable of growth; or
 - (2) Contaminate any uninfested land with a noxious weed through the movement of rootstocks, seed, soil, mulch, nursery stock, farm machinery, or any other artificial medium.
- (b) Each landowner, including a landowner of public land, or person who possesses and manages land infested with a noxious weed shall eradicate or control the noxious weed on that land by using practices that the Secretary prescribes, including mowing, cultivating, or treating with an approved herbicide.

§ 9-405.

Each failure to comply with the provisions of this subtitle shall be reported to the State's Attorney for the county in which the violation occurs. The State's Attorney shall prosecute all violations and bring an action to enjoin any nuisance. However, a landowner or other person who possesses and manages the land may enter into a written agreement with the Secretary which sets forth a program for the eradication or control of a noxious weed, and if all the terms and conditions of the agreement are met, there is no violation of this subtitle as to the land covered by the agreement.

§ 9-601.

In this subtitle the term "ginseng" includes any part of the plant called Wild American Ginseng (*panax quinquefolius* L.).

§ 9-405.

Each failure to comply with the provisions of this subtitle shall be reported to the State's Attorney for the county in which the violation occurs. The State's Attorney shall prosecute all violations and bring an action to enjoin any nuisance. However, a landowner or other person who possesses and manages the land may enter into a written agreement with the Secretary which sets forth a program for the eradication or control of a noxious weed, and if all the terms and conditions of the agreement are met, there is no violation of this subtitle as to the land covered by the agreement.